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Attorneys for Plaintiff
GIRAFA.COM, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GIRAFA.COM, INC.,

Plaintiff,

v.

ALEXA INTERNET, INC.; NIAL
O'DRISCOLL,

Defendants.

Case No.: 08-2745 RMW (RS)

**PLAINTIFF'S NOTICE OF MOTION
AND MOTION TO FILE EXHIBITS
UNDER SEAL PURSUANT TO CIVIL
LOCAL RULE 79-5**

Date: September 5, 2008
Time: 9:00 a.m.
Courtroom: 6, 4th Floor
Judge: Hon. Ronald M. Whyte

PLEASE TAKE NOTICE THAT pursuant to Civil Local Rule 79-5, Girafa.com, Inc. (“Girafa”) requests an Order sealing two exhibits: (1) Exhibit C (the March 7, 2008 Declaration of Shirli Ran in Support of Plaintiff Girafa.com, Inc.’s Motion for Preliminary Injunction in District of Delaware Case No. 07-787-SLR) to the contemporaneously-filed Declaration of John B. Scherling in Support of Plaintiff’s Oppositions to Defendants’ (1) Motion to Dismiss Plaintiff’s Third Claim for Relief Under Fed. R. Civ. P. 12(b)(6), (2) Special Motion to Strike Plaintiff’s Third Claim for Relief and (3) Motion to Dismiss, Transfer or Stay; and (2) Exhibit L (the March 12, 2008 Declaration of Dr. Brad Myers in District of Delaware Case No. 07-787-SLR) to the contemporaneously-filed Declaration of John B. Scherling in Support of Plaintiff’s Oppositions to Defendants’ (1) Motion to Dismiss Plaintiff’s Third Claim for Relief Under Fed. R. Civ. P. 12(b)(6), (2) Special Motion to Strike Plaintiff’s Third Claim for Relief and (3) Motion to Dismiss, Transfer or Stay.

This motion is based on the accompanying Declaration of John B. Scherling in Support of Girafa’s Motion to File Exhibits Under Seal Pursuant to Civil Local Rule 79-5. As set forth in that Declaration, the above listed exhibits, previously filed under seal in Support of Plaintiff Girafa.com, Inc.’s Motion for Preliminary Injunction in *Girafa.com, Inc. v. Amazon Web Services, LLC, et al.*, District of Delaware Case No. 07-787-SLR, contain confidential information of Girafa.

“Protective orders and filings under seal are the primary means by which the courts ensure full disclosure of relevant information, while still preserving the parties’ (and third parties’) legitimate expectation that confidential business information, proprietary technology and trade secrets will not be publicly disseminated.” *In re Adobe Sys., Inc. Secs. Litig.*, 141 F.R.D. 155, 161-62 (N.D. Cal. 1992).

1 Girafa.com, Inc. respectfully seeks to file with the Court under seal the above-referenced
2 exhibits to preserve Girafa's legitimate expectation that its confidential business information will not
3 be disclosed publicly.

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5 DATED: August 15, 2008

SUGHRUE MION, PLLC

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7 By: s/ John B. Scherling

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